

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	x	
JON D. GRUBER, Individually And On	:	No. 16-cv-09727-JSR
Behalf Of All Others Similarly Situated,	:	
	:	
Plaintiff,	:	Hon. Jed S. Rakoff
	:	
v.	:	
	:	
RYAN R. GILBERTSON, et al.,	:	
	:	
Defendants.	:	
-----	x	

**PLAINTIFFS NOTICE OF MOTION AND MOTION FOR  
FINAL APPROVAL OF CLASS ACTION SETTLEMENTS WITH  
THE OFFICER AND DIRECTOR DEFENDANTS AND DEFENDANT  
RYAN R. GILBERTSON AND MOTION FOR AN AWARD OF  
ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

PLEASE TAKE NOTICE that upon the accompanying memoranda of law (1) in support of final approval of class action settlements with the Officer and Director Defendants and defendant Ryan R. Gilbertson; and (2) in support of Plaintiffs' Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses; the Stipulations and Agreements of Settlement dated May 23, 2022 with the Officer and Director Defendants and defendant Ryan R. Gilbertson ("Stipulations"); the Declaration of Solomon B. Cera in Support of Plaintiffs' Motion for Final Approval of Class Action Settlements with the Officer and Director Defendants and Defendant Ryan R. Gilbertson and in Support of Plaintiffs' Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses, filed herewith, and all other pleadings, papers, and matters of record herein, Plaintiffs hereby move this Court, before the Honorable Jed S. Rakoff, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on October 4, 2022 at 4:00 p.m. ET, for orders finding that the Settlements are fair, reasonable, and adequate such that final judgments should be entered by the Court; finding that the Plan of Allocation is fair, reasonable, and adequate; and awarding the requested attorneys' fees and reimbursement of litigation expenses.

Dated: September 6, 2022

Respectfully submitted,

**CERA LLP**

By: /s/Solomon B. Cera  
Solomon B. Cera  
Pamela A. Markert  
Kenneth A. Frost  
595 Market Street, Suite 1350  
San Francisco, CA 94105  
Telephone: (415) 777-2230  
Email: [scera@cerallp.com](mailto:scera@cerallp.com)  
Email: [pmarkert@cerallp.com](mailto:pmarkert@cerallp.com)  
Email: [kfrost@cerallp.com](mailto:kfrost@cerallp.com)

*Class Counsel*

**MOLOLAMKEN LLP**

Steven F. Molo  
Robert K. Kry  
Sara E. Margolis  
Mark W. Kelley  
Alex C. Eynon  
430 Park Avenue, 6<sup>th</sup> Floor  
New York, NY 10022  
Telephone: (212) 607-8170  
Email: smolo@mololamken.com  
Email: rkry@mololamken.com  
Email: smargolis@mololamken.com  
Email: mkelley@mololamken.com  
Email: aeynon@mololamken.com

**ABRAHAM, FRUCHTER & TWERSKY, LLP**

Jeffrey S. Abraham  
Lawrence D. Levit  
450 Seventh Avenue, 38th Floor  
New York, NY 10123  
Tel: (212) 279-5050  
Email: jabraham@aftlaw.com  
Email: llevit@aftlaw.com

*Attorneys for Plaintiff and on Behalf  
of All Others Similarly Situated*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 6, 2022, I caused a true and correct copy of the foregoing instrument to be served via the Electronic Case Filing (ECF) system in the United States District Court for the Southern District of New York, on all parties registered for CM/ECF in the above captioned matter.

/s/Solomon B. Cera

Solomon B. Cera